

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

**MICHAEL D. ROSE, on his own
behalf and on behalf of all others
similarly situated, et al.**

Plaintiffs,

v.

**JEFF S. SANDY, individually and in his
official capacity as the Cabinet Secretary
of the West Virginia Department of
Homeland Security, et al.**

Defendants.

**Civil Action No. 5:22-cv-00405
(Judge Volk)**

**PLAINTIFFS' MOTION FOR SANCTIONS AGAINST WEXFORD HEALTH
SOURCES, INC.**

COME NOW Plaintiffs, by undersigned counsel, and pursuant to Rules 26, 30, 34, and 37 of the *Federal Rules of Civil Procedure*, hereby move this Honorable Court for entry of an Order sanctioning Defendant Wexford Health Sources, Inc. for failing to present an adequately prepared corporate representative pursuant to Plaintiffs' 30(b)(6) Deposition Notice and for failing to produce documents under Rule 34 pursuant to said Notice. In further support of their Motion, Plaintiffs incorporate herein by reference the accompanying memorandum of law.

**MICHAEL D. ROSE, on his own behalf
and on behalf of all those similarly
situated,**

By Counsel

/s/ Stephen P. New

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CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiffs hereby certifies that a true and correct copy of the foregoing *PLAINTIFFS' MOTION FOR SANCTIONS AGAINST WEXFORD HEALTH SOURCES, INC.* was filed with the clerk on August 9, 2023, via the Court's CM-ECF Filing System which will provide electronic notification to all counsel of record.

/s/ Stephen P. New
Stephen P. New (WVSB No. 7756)